

Application No.: 09/997081

Case No.: 57255US002

Remarks

Claims 1-14 are pending. Applicants believe that claims 12-14 have been withdrawn from consideration.

The Office Action Summary statement asserting that claims 11-14 are withdrawn from consideration is inconsistent with the restriction of the claims into Group I, containing claims 1-11, and Group II, containing claims 12-14. It appears that the intent was to withdraw only claims 12-14.

§ 102 Rejections

Claims 1 and 3 stand rejected under 35 USC § 102(a) as purportedly anticipated by the Boccaccini reference. Applicants respectfully traverse.

The Boccaccini reference concerns fibre reinforced ceramic and glass matrix composites. The reference is cited at part 3, pages 1002-03, where it describes a method of making an alumina matrix composite. In contrast, the present claims recite a method of making a hydrophilic carbon fiber construction. No composite having a ceramic and glass matrix is recited. Since the cited reference fail to teach a hydrophilic carbon fiber construction, as recited in the present claims, the rejection under 35 USC § 102(a) should be withdrawn.

§ 103 Rejections

Claims 2 and 4-11 stand rejected under 35 USC § 103(a) as purportedly unpatentable over the Boccaccini reference taken alone.

In order to establish a prima facie case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP § 2143.03. Boccaccini fails to disclose or suggest a method of making a hydrophilic carbon fiber construction. In addition, with regard to claims 10 and 11, Boccaccini fails to disclose or suggest a hydrophilic carbon fiber construction is capable of wicking 200mg or 250mg of water per 40mg.

For all of the foregoing reasons, the rejection of claims 2 and 4-11 under 35 USC § 103(a) as purportedly unpatentable over Boccaccini has been overcome and should be withdrawn.

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In view of the above, it is submitted that the application is in condition for allowance.
Reconsideration of the application is requested.

Respectfully submitted,

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Date

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